



After recording return to:

BRIAN C. BALCH  
LAYMAN LAW FIRM, PLLP  
601 S. DIVISION STREET  
SPOKANE, WA 99202-1335

Reference # (if applicable): 6535154  
Grantor(s): (1) Frank Freeze, Inc. (2) \_\_\_\_\_  
Grantee(s): (1) West Terrace Fifth Addition Homeowners Association (2) \_\_\_\_\_  
Additional Grantor(s) on pg. \_\_\_\_ Additional Grantee(s) on pg. \_\_\_\_  
Legal Description (abbreviated): Ptn. NE 1/4 18-24-42, Spokane County  
Additional legal(s) on Exhibit "A," Page 3  
Assessor's Tax Parcel ID# 24073.0108, 24073.0109

**SUPPLEMENTAL DECLARATION ADDING PROPERTY TO DECLARATION  
ESTABLISHING COVENANTS, CONDITIONS, AND RESTRICTIONS FOR  
WEST TERRACE FIFTH ADDITION**

This Supplemental Declaration Adding Property to Declaration Establishing Covenants, Conditions, and Restrictions for West Terrace Fifth Addition ("Supplemental Declaration") is made by FRANK FREEZE, INC., a Delaware corporation ("Declarant") to amend and supplement the Declaration Establishing Covenants, Conditions, and Restrictions for West Terrace Fifth Addition recorded September 15, 2016 as Spokane County, Washington Auditor's Recording No. 6535154 ("Declaration"). The Declaration is amended and supplemented by this Supplemental Declaration as follows:

1. This Supplemental Declaration is executed in accordance with Section 10.1 of the Declaration for the annexation and subjection of the real property described on Exhibit "A" attached hereto ("Additional Property") into the Property covered by the Declaration. Annexation of the Additional Property will be effective upon the filing of this Supplemental Declaration with the Spokane County, Washington Auditor.

2. Frank Freeze, as Declarant, hereby exercises the authority of the Declarant specified in Section 11.3 of the Declaration to extend easement and use rights for the benefit of the Additional Property in and to all drainage facilities and any private roads in the Property to the same extent as other portions of the Property originally covered by the Declaration. Accordingly, Building Lots created in the Additional Property shall be bound by the related provisions within the Declaration pertaining to such common area improvements and facilities and shall be subject to resulting provisions regarding assessments in Article VII of the Declaration in like fashion as other Building Lots in the Property.

3. This Supplemental Declaration shall be binding upon and inure to the benefit of the owners of all portions of the property covered by the Declaration, including the Additional Property.

4. Except as supplemented and amended by this Supplemental Declaration, the Declaration remains unchanged.

**DECLARANT:**

FRANK FREEZE, INC.

By: [Signature]  
Printed Name: Robert L. Heitman Jr  
Title: Authorized Representative

STATE OF WASHINGTON )  
 )ss.  
COUNTY OF SPOKANE )

On this 26th day of JULY 2018 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Robert L. Heitman, Jr to me known to be the Authorized Rep. of FRANK FREEZE, INC., a Washington limited liability company, the limited liability company that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of the limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



[Signature]  
NOTARY PUBLIC in and for the State  
of Washington, residing at Spokane Vlg  
My commission expires: 11-1-20  
Printed Name: LISA Y. DESTREICH-BERG

**EXHIBIT "A"****ADDITIONAL PROPERTY**

That portion of the NE1/4 of Section 18, Township 24 North, Range 42, East. W. M., Spokane County, Washington, lying northeasterly of the Alteration to the final plat of West Terrace Fifth Addition, filed in Book 39 of Plats at Pages 68 and 69, hereinafter referred to as "Plat" and west of Thomas Mallen Road, described as follows:

Beginning at the northeast corner of said Section 18; thence southerly along the east line of said NE1/4 of Section 18, and the centerline of said Thomas Mallen Road, S02°30'24"E 601.48 feet; thence leaving the east line of said NE1/4 of Section 18 and centerline of Thomas Mallen Road, S87°29'36"W 30.00 feet to a point on the west right-of-way line of Thomas Mallen Road being the **TRUE POINT OF BEGINNING**; thence southerly along said west right-of-way line, S02°30'24"E 799.42 feet to a point on the north line of Tract A of said "Plat" projected easterly; thence S87°29'36"W 10.00 feet along the projected north line of said Tract A to the northeast corner of said Tract A; thence continuing along the north line of said Tract A the following three (3) courses:

1. S87°29'36"W 20.00 feet;
2. S54°29'23"W 376.15 feet;
3. S62°26'22"W 124.67 feet to the southeast corner of Lot 13 Block 2 of said "Plat";

thence along the east line of said Lot 13, N19°36'39"W 182.25 feet to the northeast corner of said Lot 13; thence along the east line of Lot 7 Block 3 of said "Plat", N12°42'10"W 50.45 feet to the southeast corner of Lot 6 Block 3 of said "Plat"; thence along the east line of said Lot 6 Block 3 and the east line of Tract B, a private road also known as Masters Lane, N11°17'56"W 215.63 feet; thence along the north line of said Tract B, S66°47'48"W 37.05 feet to the point of curve of a 187.00 foot radius curve to the right; thence continuing along the north line of said Tract B and the arc of said curve, through a central angle of 11°35'47", 37.85 feet to the southeast corner of Lot 2 Block 3 of said "Plat"; thence along the east line of said Lot 2 Block 3 and the east line of Lot 7 Block 1 of said "Plat", N10°09'41"W 226.56 feet to the northeast corner of said Lot 7 Block 1; thence along the north line of said Lot 7 Block 1 and the north right-of-way line of Floyd Drive, S74°46'30"W 37.21 feet to the southeast corner of Lot 6 Block 1; thence along the east line of said Lot 6 Block 1, N06°06'41"W 161.89 feet to the northeast corner of said Lot 6 Block 1; thence along the south line of Lot 8 Block 6 of West Terrace Addition filed in Book 18 of Plats at Page 10, N89°58'52"E 90.59 feet to the southerly corner common to lots 8 and 9 Block 6 of said West Terrace Addition; thence along the south line and the south line projected of Lot 9 Block 6 of said West Terrace Addition, N77°21'11"E 214.33 feet; thence leaving said south line projected, N54°58'35"E 140.27 feet; thence N42°33'43"E 220.67 feet; thence N87°29'36"E 125.71 feet to the **TRUE POINT OF BEGINNING**;

Containing 10.94 acres.